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Attorneys for Plaintiff
Nevada Apparel Corp.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEVADA APPAREL CORP.,

Plaintiff,

v.

ARCADIA GROUP BRANDS LIMITED,

Defendant.

Civil Action No.: 1:06-cv-03986-
DLC

NOTICE OF MOTION AND MOTION FOR PRELIMINARY INJUNCTION

TO: Karen Artz Ash, Esq.
Bret J. Danow, Esq.
Katten Muchin Rosenman LLP
575 Madison Avenue
New York, New York 10022

PLEASE TAKE NOTICE that Plaintiff Nevada Apparel Corp. ("Nevada Apparel"), by its undersigned attorneys, shall move this court before the Hon. Judge Denise L. Cote on _____, 2006 at ____ a.m., or as soon thereafter as counsel may be heard, at the United States Courthouse, 500 Pearl Street, New York, New York 10017, for the following relief:

1) a preliminary injunction pursuant to Rule 65 Fed.R.Civ.P. during the pendency of this proceeding enjoining and restraining Defendant Arcadia Group Brands Limited ("Arcadia"), its officers, agents, servants, employees, and attorneys, and all other persons or companies in active concert or participation with it, from:
{00768990.1}

1. Importing, advertising, promoting, distributing, offering or selling any products or services under the mark TOP SHOP, or any confusingly similar mark, in U.S. commerce;
2. Seeking publicity for any goods or services offered under the mark TOP SHOP, or any confusingly similar mark, in any publications and which state or imply that Defendant may or will or have offered goods or services in or to customers or consumers in the United States; and
3. Maintaining or using any Internet web sites with addresses consisting of or comprising the mark TOP SHOP, or any confusingly similar mark, which allow access from consumers or retailers or other customers located in the United States.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Plaintiff shall rely on the Memorandum in Support of Motion for Preliminary Injunction attached hereto and the supporting declaration and exhibits submitted therewith.

Respectfully submitted,

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